

In the Supreme Court of the State of Alaska

Richard DeRemer III,
Appellant,

v.

**State of Alaska, Department of
Corrections,**
Appellee.

Supreme Court No. **S-17856**

Order

Date of Order: **8/17/2020**

Trial Court Case No. **3AN-19-05031CI**

Richard DeRemer III, a prisoner engaged in litigation against the State (as that term is defined in AS 9.19.100(1)), has moved for an exemption of the normal filing fee for this appeal.

Under AS 9.19.010(d), even when a prisoner can not afford to pay the normal filing fee, the filing fee must be at least 20 percent of (1) the average monthly amount of deposits to the prisoner's account during the preceding six months or (2) the average monthly balance of the prisoner's account during the preceding six months, whichever is greater.

Based on the information submitted to this Court, the average monthly amount of deposits to Mr. DeRemer's prisoner account for the months of January 2020 through July 2020 was \$28.80, and the average monthly balance in that account during the same period was \$10.34. Taking the larger of these figures (as required by the statute), Mr. DeRemer's filing fee must be at least 20 percent of \$28.50 — or \$5.76.

It is the practice of this Court to round filing fees down to the nearest 25 cents. Thus, Mr. DeRemer's filing fee for this appeal shall be 5.75.

Accordingly, **IT IS ORDERED:**

1. Mr. DeRemer's motion for an exemption to the normal filing fee is **GRANTED** in part.

2. **Mr. DeRemer shall pay a reduced filing fee of \$5.75.** This fee must be paid within 30 days of this order. If there is good reason, the Court may grant an extension of this deadline. If Mr. DeRemer fails to pay the reduced filing fee within the time allowed, his appeal will be rejected for filing and this case will be closed.

3. Mr. DeRemer's motion to waive the cost bond and the cost of printing briefs is **GRANTED**.

4. Mr. DeRemer's motion to allow a CD of the designated hearing instead of a transcript is **GRANTED**.

Entered at the direction of an individual justice.

Clerk of the Appellate Courts



Carly Williams, Deputy Clerk

Distribution:

Mail:
DeRemer III, Richard

Email:
Pace, Andalyn